

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

JAMES S. MATTHEWS, JR.)
)
)
)
Plaintiff/Appellant,)
v.) Case No. CIV-20-945-D
) (Bankruptcy No. 11-16261-JDL)
JORGE GAMBOA,)
)
Defendant/Appellee.)

ORDER

Appellant purports to appeal an order entered by the United States Bankruptcy Court for the Western District of Oklahoma on August 17, 2020 [Doc. No. 1]. On August 30, 2021, the Court entered an Order to Show Cause why this appeal should not be dismissed for lack of prosecution [Doc. No. 3]. Appellant has failed to respond to the Order to Show Cause.

Federal Rule of Bankruptcy Procedure 8018(a) provides that “[t]he appellant must serve and file a brief within 30 days after the docketing of notice that the record has been transmitted or is available electronically.” Rule 8018(a) further provides that “[i]f an appellant fails to file a brief on time or within an extended time authorized by the district court...the district court or BAP, after notice, may dismiss the appeal on its own motion.”

Id. at § 8018 (a)(4).

Appellant has failed to timely file a brief in support of his appeal or seek an extension of time in which to do so. Accordingly, dismissal of this appeal for lack of prosecution is proper.

IT IS THEREFORE ORDERED that this appeal is DISMISSED

IT IS SO ORDERED this 21st day of September, 2021.



TIMOTHY D. DeGIUSTI
Chief United States District Judge